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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Agent File No.: 15228-18us-1 PTN/df

International application of:

Herbert André JANSEN et al.

For: APPARATUS FOR DIGITIZING INTRAMEDULLARY CANAL
AND METHOD

Filed: October 3, 2003

Serial No.: 10/677,321

Examiner: Unknown

Group Art Unit: 3738

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
U.S.A.

Sir:

Pursuant to the duty of disclosure under 37 CFR 1.56, Applicant hereby requests that the prior art references listed on the attached form PTO/SB/08A/B (10-01) be considered by the Examiner in connection with his examination of the above-identified application, and be made of record in the application file. A copy of the International Search Report and the foreign references is attached.

DISCUSSION

International Publication WO 01/67979 A1 is discussed in the specification.

U.S. Patents No. 4,519,100, No. 5,269,785, No. 5,385,566, No. 5,682,886, No. 5,806,518, No. 5,858,029, No. 6,205,411, No. 6,358,253, German Patent No. DE 10221273, and International Publication No. WO 02/062250 were cited in the International Search Report.

The remaining references are of general interest only.

Should the Examiner have any questions after reviewing this Information Disclosure Statement, he is cordially invited to telephone the undersigned attorneys.

STATEMENT OF RELEVANCE

The listed reference(s) is(are) being reported either in compliance with 37 C.F.R. § 1.97(b), within three (3) months of the filing date of a national application or

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of the date of entry of the national stage in an international application; or pursuant to 37 C.F.R. § 1.97(e)(1), within three (3) months from the date of an Office Action or of a search report issued in a foreign counterpart application citing each of the references contained in the present statement; or pursuant to 37 C.F.R. § 1.97(e)(2), within three (3) months from the first knowledge of each reported reference by any individual designated in C.F.R. § 1.56(c), when each such document was not cited in a communication from a foreign patent office in a counterpart foreign application.

In the case of submission under 37 C.F.R. § 1.97(e)(1) and (2), the undersigned Attorney/Agent of Record hereby certifies that the enclosed references are hereby reported within three months (1) from the issuance of the foreign action or search report, or (2) from said first knowledge, respectively.

Respectfully submitted,
Herbert Andre JANSSEN et al.

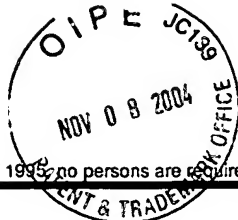
By: 

November 5, 2004

(Date)

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Tel.: (514) 847-4243

Encl.



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Substitute for form 1449PTO			Complete if Known		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Application Number	10/677,321	
			Filing Date	October 3, 2003	
			First Named Inventor	JANSEN, Herbert André	
			Art Unit	3738	
			Examiner Name	Unknown	
Sheet	1	of	3	Attorney Docket Number	15228-18us-1 PTN/df

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		Number – Kind Code ² (if known)			
		US 4,519,100	05-28-1985	Wills et al.	
		US 5,037,424	08-06-1991	Aboczky	
		US 5,171,248	12-15-1992	Ellis	
		US 5,269,785	12-14-1993	Bonutti	
		US 5,385,566	01-31-1995	Ullmark	
		US 5,628,315	05-13-1997	Vilsmeier et al.	
		US 5,643,268	07-01-1997	Vilsmeier et al.	
		US 5,682,886	11-04-1997	Wong et al.	
		US 5,702,406	12-30-1997	Vilsmeier et al.	
		US 5,769,861	06-23-1998	Vilsmeier	
		US 5,806,518	09-15-1998	Mittelstadt	
		US 5,858,020	12-01-1999	Emery et al.	
		US 5,880,976	03-09-1999	Di Gioia III et al.	
		US 5,889,834	03-30-1999	Vilsmeier et al.	
		US 5,995,738	11-30-1999	Di Gioia III et al.	
		US 6,002,859	12-14-1999	Di Gioia III et al.	
		US 6,178,345	01-23-2001	Vilsmeier et al.	
		US 6,205,411	03-20-2001	Di Gioia III et al.	
		US 6,214,014	04-10-2001	McGann	
		US 6,223,067	04-24-2001	Vilsmeier et al.	
		US 6,351,659	02-26-2002	Vilsmeier	
		US 6,358,253	03-19-2002	Miniaci et al.	
		US 6,609,022	08-19-2003	Vilsmeier et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant Of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code3 – Number4 – Kind Code5 (if known)				
		DE 10000937	09-08-2001	BrainLAB		
		DE 10003269	01-26-2000	BrainLAB		
		DE 10033063	01-24-2002	BrainLAB		
		DE 10051370	05-02-2002	BrainLAB		
		DE 10144630	05-08-2002	BrainLAB		
		DE 10221273	12-04-2003	Brehm		
		DE 19508228	09-12-1996	BrainLAB		

Examiner Signature		Date Considered	
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.
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Substitute for form 1449PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/677,321
				Filing Date	October 3, 2003
				First Named Inventor	JANSEN, Herbert André
				Art Unit	3738
Examiner Name	Unknown				
Sheet	2	of	3	Attorney Docket Number	15228-18us-1 PTN/df

	DE 19536180	05-08-2003	BrainLAB		
	DE 19639615	10-14-1999	BrainLAB		
	DE 19639861	04-10-1997	BrainLAB		
	DE 19640283	06-28-2001	BrainLAB		
	DE 19715202	10-15-1998	BrainLAB		
	DE 19751761	10-15-1998	BrainLAB		
	DE 19829224	01-05-2000	BrainLAB		
	DE 19829230	03-23-2000	BrainLAB		
	DE 19848765	12-21-2000	BrainLAB		
	DE 19917867	09-11-2000	BrainLAB		
	DE 19944516	04-12-2001	BrainLAB		
	DE 19953177	06-21-2001	BrainLAB		
	DE 19956814	06-13-2001	BrainLAB		
	DE 19964016	07-19-2001	BrainLAB		
	DE 20016635U	03-29-2001	BrainLAB		
	DE 20103416U	08-09-2001	BrainLAB		
	DE 29522329U	04-04-2002	BrainLAB		
	DE 29623941U	12-14-2000	BrainLAB		
	DE 29623957U	04-26-2001	BrainLAB		
	DE 4432890	03-21-1996	BrainLAB		
	DE 4432891	11-06-2003	BrainLAB		
	DE 4434519	03-28-1996	BrainLAB		
	EP 1142536	10-10-2001	BrainLAB		
	EP 1153572	11-14-2001	BrainLAB		
	EP 1184812	07-31-2002	BrainLAB		
	EP 1190675	03-27-2002	BrainLAB		
	EP 1190676	08-13-2003	BrainLAB		
	EP 1208796	03-05-2003	BrainLAB		
	EP 1208808	06-18-2003	BrainLAB		
	EP 1216651	06-26-2002	BrainLAB		
	EP 1219260	06-25-2003	BrainLAB		
	JP 2002035007	02-05-2002	Vilsmeier		
	WO 99/59487	11-25-1999	McGann		
	WO 01/67979 A1	09-20-2001	Orthosoft		
	WO 02/062250 / CA 2,438,005	08-15-2002	Langlotz et al.		

Examiner Signature		Date Considered	
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[illegible]

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